

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:09-CV-328-F

LAURENCE ALVIN BULLOCK, III
Plaintiff,

v.

FERRER, POIROT and WANSPROUGH,
Defendant.

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O R D E R

On July 2, 2009, the plaintiff, Laurence Alvin Bullock, III, ("Bullock") filed a Motion for Leave to Proceed *In Forma Pauperis* [DE-5]. The motion was referred to Magistrate Judge Robert Jones for hearing and preparation of a Memorandum and Recommendation ("M&R"). Judge Jones filed his M&R [DE-7] on July 28, 2009. Bullock, who is representing himself in this action, did not file objections to the M&R, *per se*. However, in the second of two letters he mailed to the Clerk of Court within the response time – both of which have been included in the record as sealed non-public correspondence [DE-8, -9] – Bullock states, "I objection my case been dismiss and they should be held lable [sic] for wrong or fraud the phamaeacutical [sic] company. I objected the dismiss of Ferrer, Poirot Wansbrough in the class action suit against the phamaeacutical [sic] Company of Lilly." [DE-9], p. 2.

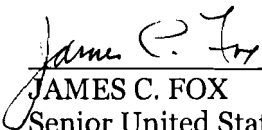
It appears that Bullock received a settlement as plaintiff in litigation against a pharmaceutical company (Eli Lilly) concerning the drug Zyprexa. A letter attached to Bullock's first response [DE-8] from the law firm Beasley, Allen, Crow, Methvin, Portis & Miles, PC, refers to payment of Bullock's share of the settlement, and an enclosed disbursement schedule setting out the full settlement amount, attorney's fees, lien amounts paid on Bullock's behalf, and the

balance disbursed to Bullock. Bullock filed an identical action filed on the same date, *see Bullock v. Beasley & Allen*, No. 5:09-CV-329-F, and that action has been dismissed this date by separate order adopting the Magistrate Judge's M&R, *id.* at [DE-8], of July 31, 2009. *See id.* [DE-10].

After an independent and thorough review of the Magistrate Judge's M&R herein, Bullock's letters, and a *de novo* review of the record, the court concludes that the M&R is correct and in accordance with the law. Accordingly, the court hereby ADOPTS the Magistrate Judge's M&R [DE-7], and Bullock's complaint is DISMISSED as frivolous. The Clerk of Court is DIRECTED to close this case and remove it from the undersigned's docket.

SO ORDERED.

This, the 28th day of August, 2009.



JAMES C. FOX
Senior United States District Judge